

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 14-CR-2771 MCA
vs.

TERRANCE JULIAN,

Defendant.

**UNITED STATES' RESPONSE TO DEFENDANT'S MOTION TO RECONSIDER
ORDER OF CONDITIONS OF RELEASE [DOC. 13]**

The United States hereby responds to Defendant's Motion to Reconsider Conditions of Release and submits:

1. Defendant Terrance Julian is charged with Assault with a Dangerous Weapon, and Brandishing a Firearm in Furtherance of a Crime of Violence, both violent crimes which creates a rebuttable presumption for pre-trial detention. At his detention hearing on August 25, 2014, the Defendant was released to the La Posada Halfway House.

2. The Defendant reasons that he has been without incident since the incident alleged in the indictment from 2012. To the contrary, he has been arrested for a disturbance at his house in 2013 after an altercation with Jane Doe. Police were also called to his residence in June, 2014 after an unknown disturbance. The Defendant's use of alcohol and use of violence while under the influence are still a significant concern for the government.

3. Given the history of violence between the Defendant and Jane Doe, especially two prior incidences that involve the use of a dangerous weapon, the United States has to oppose

the motion because of the risk that the government believes the Defendant poses to his significant other and the community.

WHEREFORE, the United States respectfully requests that Defendant's request for release into the community be denied.

Respectfully submitted,

DAMON P. MARTINEZ
United States Attorney

/s/

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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will cause a copy of this filing to be sent to counsel for Defendant.

Filed Electronically on 9/22/14

DAVID M. ADAMS
Assistant United States Attorney